



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Order Filed on September 26,  
2016 by Clerk, U.S. Bankruptcy  
Court - District of New Jersey

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

**NJID 778487**

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Attorneys for CITIMORTGAGE, INC.

IN RE: : CASE NO. 16-23036 -SLM

EMMANUEL C. BAYNOSA

Debtor : Hearing Date September 14, 2016, at  
10:30 a.m.

: Judge: STACEY L. MEISEL

**ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY AND RELIEF FROM THE STAY  
PROSPECTIVELY AS TO DEBTOR**

The relief set forth on the following pages, numbered two (2) through two (2) is  
hereby **ORDERED**.

**DATED: September 26, 2016**

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Honorable Stacey L. Meisel  
United States Bankruptcy Judge

Upon the motion of Phelan Hallinan Diamond & Jones, PC, attorneys for CITIMORTGAGE, INC., under Bankruptcy Code §362(d) for relief from the automatic stay as to certain real property as hereinafter set forth, and for cause shown,

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more action(s) in the Court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

- Real Property more fully described as: 16-18 BEACON AVENUE, JERSEY CITY, NJ 07306.

It is further ORDERED that any future filings as to the subject property located at 16-18 BEACON AVENUE, JERSEY CITY, NJ, by the debtor, EMMANUEL C. BAYNOSA shall not affect the right of movant, or movant's successor in interest, to proceed with its state law remedies as to the said property, up to and including eviction proceedings. Should the Debtor file a subsequent bankruptcy case before this order is entered, this order shall be effective such that any subsequent filing prior to the entry of this order shall not affect the foreclosure process.

It is further ORDERED that FEDERAL RULE OF BANKRUPTCY PROCEDURE 3002.1 is no longer applicable to Movant, its successors or assigns.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, trustee and any other party who entered an appearance on this motion.